REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

Claims 1, 4, 23 and 25 have been amended. Applicant has additionally inserted new Claims 27-29.

Support for amended Claims 1, 23 and 25 can be found throughout the application as originally filed, for example in paragraph [0021]. Support for new Claims 27-29 can also be found throughout the application as originally filed, for example in paragraphs [0102] and [0103]. Claim 4 has been amended in order to correct a typographical error.

The October 31, 2006 rejection alleges that in U.S. Patent Application Publication No. 2002/0024973 to Tavana *et al.*, hereinafter referred to as Tavana, packet time stamping is implemented by a software application, (Abstract, lines 1 to 6). Applicant respectfully disagrees with the assertion that Tavana expressly teaches away from the use of software for the purpose of time stamping. For example with reference to paragraph [0003], Tavana identifies that a "disadvantage of such prior art systems is that since the packet time-tagging occurs at the application software, the propagation time through the software stacks are included in the round trip time that the application

software calculates". Tavana continues to define that since the delays induced via (application software based) time stamping schemes are non-deterministic, accurate arrival and network infrastructure transit times are not possible to predict.

In addition, Applicant asserts that the rejection is further rendered moot by the amendments to independent Claims 1, 23 and 25, submitted herewith. In particular, Applicant asserts that Tavana does not disclose an I/O completion port, wherein the I/O completion port is implemented in an operating system running on a computer, as expressly defined in independent claims 1, 23 and 25, submitted herewith.

The April 10, 2006 Final Office Action alleged that "PHY 24:1" as defined by Tavana was equivalent to an I/O completion port. Applicant respectfully disagrees with the rejection and asserts that "PHY 24:1" as defined by Tavana in paragraph [0002], is a physical medium interface; namely a hardware component to facilitate packet transfer.

As would be known by a worker skilled in the art, an I/O completion port is a software interface which provides a means for an application to use a pool of threads that were created when the application was started in order to process input/output (I/O) requests. Applicant therefore asserts that Tavana does not teach or suggest an I/O completion port implemented in an operating system running on a computer, as

expressly defined in independent Claims 1, 23 and 25, submitted herewith.

Furthermore, the September 23, 2005 Office Action alleges that U.S. Patent No. 6,075,773 to Clark *et al.*, hereinafter referred to as Clark, discloses a "completion port 4" and alleges that this is equivalent to an I/O completion port. Again, Applicant respectfully disagrees with the Examiner and asserts that it is clear that the "connection port" as disclosed by Clark is a physical connection between the "media interface" and a "device to be tested", as defined by Clark in column 3, lines 1 to 5 and Figure 1. Clark continues to further define the format of the "connection ports" in column 3, lines 12 to 19, stating that they are compatible with "twisted pairs", "fiber media" or "coaxial media", which are all physical connections. Applicant therefore asserts that Clark does not teach or suggest an I/O completion port implemented in an operating system running on a computer, as expressly defined in independent Claims 1, 23 and 25, submitted herewith.

Applicant therefore strongly asserts that Tavana and Clark, taken alone or in combination, do not teach or suggest an I/O completion port, wherein the I/O completion port [is] implemented in an operating system running on a computer, as expressly defined in independent Claims 1, 23 and 25, submitted herewith.

Applicant asks that all claims be allowed. Please apply the $790 RCE fee, the $150 additional claim fee, and any other applicable charges or credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Date: December 8, 2006

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